UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/626,360	07/23/2003	Eugene A. Roylance	200309697-1	1222

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EXAMINER
HUFFMAN, JULIAN D

ART UNIT	PAPER NUMBER
2853	

DATE MAILED: 07/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

H·A

	Application No.	Applicant(s)
Office Action Summary	10/626,360	ROYLANCE ET AL.
	Examiner	Art Unit	
	Julian D. Huffman	2853	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _30 June 2005_.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-14,17-19,21 and 22_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-14,17-19,21 and 22_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2.   Claims 1-14, 17-19 and 21 are rejected under 35 U.S.C. 102(e) as being

anticipated by Okano et al.

Okano et al. discloses:

With regards to claim 1, a computer readable medium (fig. 3, element 13)

integrated into a removable cartridge (fig. 3, element 100) for an image forming device,

the medium being programmed with a plurality of image enhancement data sets

(correction table value) and data set selection criteria for selecting from among the

image enhancement data sets (VL, SD, number of image formation, 0093, 0094).

With regards to claim 2, at least one image enhancement data set includes a

condition (number of image formation) associated with data identifying an image

enhancement technique (number of image formation is used to identify an image

enhancement technique using table, 0093 and 0094) and a parameter for implementing the image enhancement technique (0098, element 11, figs. 1 and 3).

With regards to claim 3, at least one image enhancement data set includes a condition (number of image formation) associated with a parameter (density table) for implementing an image enhancement technique.

With regards to claim 4, the removable cartridge includes a printing component (1, 2, 5, or 6), and the medium is formatted to store a state variable (0095) reflecting a state of the printing component and wherein the data set selection criteria represents electronic data that can be processed with the state variable to select from among the image enhancement data sets (VL, SD data).

With regards to claim 5, a computer readable medium (13) integrated into a removable cartridge (100) that includes a printing component (1, 2, 5, 6) for an image forming device, the medium being formatted to store a state variable (number of image formation) reflecting a state of the printing component and programmed with a plurality of image enhancement data sets (correction value table) and data set selection criteria that can be processed with the state variable to select from among the image enhancement data sets (0093, 0094).

With regards to claims 6 and 10, a removable cartridge (100) for an image forming device, comprising:

a printing component (1, 2, 5, 6) that can be utilized by the image forming device to assist in producing a printed image; and

a memory (13) formatted to store a state variable (number of image formation) reflecting a state (number of image formation) of the printing component and programmed with a plurality of image enhancement data sets (correction value table) and data set selection criteria that can be processed with the state variable to select from among the image enhancement data sets (0093, 0094, VL, SD) .

With regards to claim 11, an image enhancement method, comprising the following acts:

obtaining data set selection criteria from a memory integrated into a removable cartridge for an image forming device (0093, 0094);

processing the data set selection criteria to select an image enhancement data set from a plurality of image enhancement data sets contained in the memory integrated into the removable cartridge (0093, 0094); and

implementing an image enhancement technique according to the selected image enhancement data set (0098).

With regards to claim 12, that the selected image enhancement data set includes data identifying the image enhancement technique (density correction) and wherein the act of implementing the image enhancement technique further includes implementing the image enhancement technique identified by the image enhancement data set (0098).

With regards to claim 13, that the selected image enhancement data set includes a parameter (number of image formation, VL, SD, 0093, 0094) and the act of

implementing comprises implementing the image enhancement technique according to the parameter (0098).

With regards to claim 14, obtaining a state variable reflecting a state of a printing component (number of image formation) and wherein the act of processing comprises processing the data set selection criteria with the state variable to select the image enhancement data set from among the plurality of image enhancement data sets (0093, 0094).

With regards to claim 17, a computer readable medium (element 11 has programming instructions to control its operation) having instructions for:

obtaining data set selection criteria to select an image enhancement data set from a plurality of image enhancement data sets contained in the memory integrated into the removable cartridge (0093, 0094); and

implementing an image enhancement technique identified by the selected image enhancement data set (0098).

With regards to claim 18, that the selected image enhancement data set includes a parameter (VL, SD, number of image formation) and the instructions for implementing include instructions for implementing the image enhancement technique according to the parameter (0093, 0094).

With regards to claim 19, that the medium has further instructions for obtaining a state variable reflecting a state of a printing component (0095) and wherein the instructions for selecting include instructions for selecting a image enhancement data set according to the state variable (0094).

With regards to claim 21, further instructions for obtaining a state variable

reflecting a state of a printing component and wherein the instructions for processing

include instructions for processing the data set selection criteria with the state variable

to select the image enhancement data set from among the plurality of image

enhancement data sets (0093, 0094).

3.   Claim 22 is rejected under 35 U.S.C. 102(b) as being anticipated by Hilton et al.

(U.S. 6,158,837).

With regards to claim 22, Hilton et al. discloses an image enhancement system

for an image forming device, comprising:

a device memory (fig. 5, element 48) storing default image enhancement data

(column 9, lines 61-67), and execution logic (column 9, lines 50-54) configured to

determine if cartridge image enhancement data is present (ID numbers stored on

cartridge are image enhancement data, if the ID number is not present, it is determined

that cartridge image enhancement data is not present) and implementing the cartridge

image enhancement data, and if the cartridge image enhancement data is not present,

the execution logic is configured to implement the default image enhancement data

(column 9 line 39-column 10, line 10, figs. 6-9).

Response to Arguments

4.   Applicant's arguments regarding Kobayashi et al. are persuasive and the

rejections are withdrawn, however, the claims are anticipated by Okano et al.

Applicant's argument that Hilton does not teach cartridge image enhancement

data is noted. However, the ID numbers are image enhancement data since they are

used by the controller to determine which print mode to use to print the image.

Reference is made to applicant's specification, paragraph 0034, wherein it is stated that

"cartridge and default image enhancement data each represent generally *any data used*

for image enhancement".

Applicant's argument that Hilton does not disclose execution logic is noted,

however, Hilton clearly teaches that the controller determines if ID numbers/image

enhancement data are present and if the data is not present, default image

enhancement data is implemented.

Conclusion

5.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Julian D. Huffman whose telephone number is (571)

272-2147. The examiner can normally be reached on 9:30a.m.-6:00p.m. Monday-

Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Stephen Meier can be reached on (571) 272-2149. The fax phone number

for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

JH
19 July 2005

K. FEGGINS
PRIMARY EXAMINER